

66-06-05

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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RCE

JFw!

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>		<i>RECEIVED JUN 03 2005 PATENT &amp; TRADEMARK OFFICE</i>
<b>Address to:</b> Commissioner for Patents Mail Stop RCE P.O. Box 1450 Alexandria, VA 22313-1450		<b>Application Number</b> 10/651,450 <b>Filing Date</b> August 29, 2003 <b>First Named Inventor</b> Hiroto Itou <b>Art Unit</b> 3651 <b>Examiner Name</b> Patrick Hewey Mackey <b>Attorney Docket Number</b> 47539.30

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

<b>1.</b> Submission required under 37 C.F.R. 1.114	
a. <input type="checkbox"/> Previously submitted <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).</li> <li>ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</li> <li>iii. <input type="checkbox"/> Other _____</li> </ul>	
b. Enclosed <ul style="list-style-type: none"> <li>i. <input checked="" type="checkbox"/> Amendment/Reply</li> <li>ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</li> <li>iii. <input type="checkbox"/> Information Disclosure Statement (IDS)</li> <li>iv. <input type="checkbox"/> Other _____</li> </ul>	
<b>2. Miscellaneous</b>	
a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)	
b. <input type="checkbox"/> Other _____	
<b>3. Fees</b> The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.	
a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. <u>07-1850</u> <ul style="list-style-type: none"> <li>i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. 1.17(e)</li> <li>ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. 1.136 and 1.17)</li> <li>iii. <input type="checkbox"/> Other _____</li> </ul>	
b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed	
c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)	
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Charles E. Ruppan, Jr., Ph.D.	Registration No. (Attorney/Agent)	43,066
Signature			
	Date	June 3, 2005	

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print /Type)	Patricia Gamble		
Signature			
	Date	June 3, 2005	

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JUN 03 2005

PTO/SB/21 (08-03)

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06-06-05

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

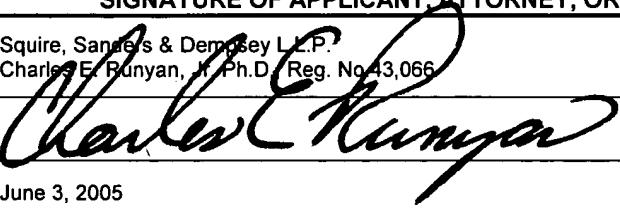
(to be used for all correspondence after initial filing)

		Application Number	10/651,450
		Filing Date	August 29, 2003
		First Named Inventor	Hiroto Itou
		Group Art Unit	3651
		Examiner Name	Patrick Hewey Mackey
Total Number of Pages in This Submission (excluding references)	14	Attorney Docket Number	47539.30

## ENCLOSURES (check all that apply)

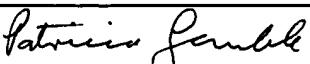
<input checked="" type="checkbox"/> Deposit Account 07-1850 Authorization <input checked="" type="checkbox"/> Postage Paid Return Postcard <input checked="" type="checkbox"/> Response (7 pages) <input checked="" type="checkbox"/> Amendment Transmittal Letter (in duplicate) <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Petition for Extension of Time ( month) (in duplicate) <input type="checkbox"/> Information Disclosure Statement (in duplicate) with Form PTO-1449 and ___ References <input checked="" type="checkbox"/> Express Mail Label No. EV 337 971 545 US <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers ( pages) (for an Application) <input type="checkbox"/> Drawing(s) In/Formal ___ Sheets with Submission of Drawings Transmittal <input type="checkbox"/> Issue Fee Transmittal with PTO-85b (in duplicate) <input checked="" type="checkbox"/> Request for Continued Examination Transmittal (RCE) (1 page) (in duplicate) <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ___	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Request for Status of Application <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

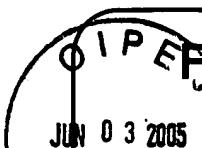
Firm or Individual name	Squire, Sanders & Dempsey LLP Charles E. Runyan, Jr. Ph.D. Reg. No. 43,066
Signature	
Date	June 3, 2005

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

Typed or printed name	Patricia Gamble		
Signature		Date	June 3, 2005

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# IP FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 **TRADEMARK** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 790.00)

## Complete if Known

Application Number	10/651,450
Filing Date	August 29, 2003
First Named Inventor	Hiroto Itou
Examiner Name	Patrick Hewey Mackey
Art Unit	3651
Attorney Docket No.	47539.30

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money  Other  None  
Order
 Deposit Account:
 Deposit Account Number 

 Deposit Account Name 

## The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051	65	Surcharge - late filing fee or oath	
		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
		1053	130	1053	130	Non-English specification	
		1801	790	2801	395	Request for continued examination (RCE)	790.00
		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	110	2251	55	Extension for reply within first month	
		1252	430	2252	215	Extension for reply within second month	
		1253	1,020	2253	510	Extension for reply within third month	
		1254	1,530	2254	765	Extension for reply within fourth month	
		1255	2,080	2255	1,040	Extension for reply within fifth month	
		1401	340	2401	170	Notice of Appeal	
		1402	340	2402	170	Filing a brief in support of an appeal	
		1403	300	2403	150	Request for oral hearing	
		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
		1452	110	2452	55	Petition to revive – unavoidable	
		1453	1,370	2453	685	Petition to revive – unintentional	
		1501	1,370	2501	685	Utility issue fee (or reissue)	
		1502	490	2502	245	Design issue fee	
		1503	660	2503	330	Plant issue fee	
		1460	130	1460	130	Petitions to the Commissioner	
Total Claims	0 -20 **	= 0 X 50 = 0		1807	50	Processing fee under 37 CFR 1.17 (q)	
Independent Claims	0 -3**	= 0 X 200 = 0		1806	180	Submission of Information Disclosure Stmt	
Multiple Dependent		X = 0		8021	40	Recording each patent assignment per property (times number of properties)	
				1809	790	Filing a submission after final rejection (37 CFR § 1.129(a))	
				1810	790	For each additional invention to be examined (37 CFR § 1.129(b))	
				1801	790	Request for Continued Examination (RCE)	
				1311	200	Patent Examination Fee	
Other fee (specify)							
*Reduced by Basic Filing Fee Paid							
SUBTOTAL (3) (\$ 790.00)							

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Charles E. Runyan, Jr., Ph.D.	Registration No. (Attorney/Agent)	43,066	Telephone	(415) 954-0200
Signature				Date	June 3, 2005